

### **THE OFFICE ACTION**

In the office action dated September 11, 2006, the Examiner rejected claims 1 and 56 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

The Examiner rejected claims 1-3, 8, 9, 11, 12, 15-17, 34, 35, 45 and 50-56 under 35 U.S.C. § 102(b) as being anticipated by Machleder, U.S. Patent 4,134,846 ("Machleder"). The Examiner also rejected claims 31, 32, and 36-39 under §103(a) as being unpatentable over Machleder in view of U.S. Patent No. 3,145,176 to Knapp ("Knapp")

### **REMARKS**

#### **A. The §112 Rejection**

In view of the above amendment wherein claim 56 is canceled, this ground for rejection is now deemed moot and Applicant requests that the Examiner reconsider this rejection. That is, it is now clear that the recitation of claim 1, wherein  $R_1$  has a molecular weight of 500 to 2500 is correct.

#### **B. The Anticipation Rejection**

Applicants have amended independent claims 1 and 45 of the application to include subject matter not disclosed in Machleder. Specifically, Machleder discloses a deposit reducing additive including a blend of 1) a reaction product of a glycidyl ether and an amine (i.e. an phenol/epichlorohydrin/amine adduct) and 2) a polyalkylene phenol. The present invention on the other hand, specifically discloses an additive including only a substituted phenolic compound with one or more minor additives. To distinguish the present invention, the claims now recite that the additive is free from said substituted phenol/epichlorohydrin/amine adducts.

Furthermore, with regard to claim 50, Machleder fails to disclose or suggest a method for inhibiting the oxidation of a jet fuel composition comprising adding to a jet fuel a phenolic additive consisting of the compound of Formula I. That is, Machleder does not disclose or suggest that the polyalkylene phenol component may be used to inhibit oxidation of jet fuel. Machleder discloses that this component is primarily used to reduce costs. (col. 7, lines 18-22). Machleder does suggest that this component may

promote deposit reduction, but simply does not disclose the use of such a compound as an oxidation inhibitor. Thus, a method of inhibiting oxidation using the claimed compound is patentable over Machleder, which fails to disclose such a process or even such a property for the polyalkylene phenol taught therein.

Likewise, and with respect to new claim 57, Machleder fails to disclose a deposit inhibiting additive, wherein the deposit inhibiting additive consists essentially of phenolic compounds of formula (I). That is, as pointed out above, Machleder discloses a blend of 1) a reaction product of a glycidyl ether and an amine (i.e. an phenol/epichlorohydrin/amine adduct) and 2) a polyalkylene phenol. Furthermore, Machleder fails to disclose or suggest the claimed antioxidant selected from the group consisting of hindered phenol antioxidants and phosphorus-containing antioxidants.

In light of the above, withdrawal of these rejections is requested.

### **C. The Obviousness Rejections**

The Examiner also rejected claims 31, 32 and 36-39 as obvious over Machleder in view of Knapp. Applicants respectfully traverse.

The Examiner cites Knapp as teaching the use of C1-C12 dialkyl phosphonates as antioxidants in hydrocarbon fuels. Even assuming this to be true and even assuming the propriety of combining Machleder with Knapp, such a combination would still not disclose or suggest the claimed invention.

That is, Machleder fails to anticipate the claims for the reasons set forth above. The proposed combination of Knapp with Machleder does not rectify the deficiencies in Machleder nor does it disclose or suggest all of the claimed limitations. In light of this, Applicants request withdrawal of this rejection.

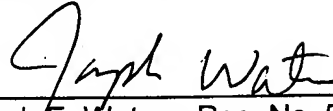
### **CONCLUSION**

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-3, 8, 9, 11, 12, 15-17, 31-39, 45, and 50-56) are now in condition for allowance, reconsideration of the application as amended is requested.

If any fee is due in conjunction with the filing of this Amendment, Applicant authorizes deduction of that fee from Deposit Account 06-0308.

Respectfully submitted,

FAY SHARPE LLP



Joseph E. Waters, Reg. No. 50,427  
1100 Superior Avenue, Seventh Floor  
Cleveland, Ohio 44114-2579  
(216) 861-5582

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Date

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